

HB 693 -- Removal of Unattended Vehicles by Law Enforcement Agencies

Sponsor: Hough

This bill requires the State Highway Patrol to establish a rotation list procedure to be followed by law enforcement agencies for the removal of a vehicle left unattended on private property and certain roadways. A law enforcement agency must establish a rotation list of towing companies to remove disabled vehicles within its jurisdiction. Criteria for inclusion on the list must include:

- (1) The company called does not have a relationship with the first responder at the location of the disabled vehicle;
- (2) A towing company must only respond if called by a first responder who is an employee of a law enforcement agency with jurisdiction over the location;
- (3) A towing company must not respond to a disabled vehicle as a result of monitoring emergency radio transmissions;
- (4) The towing company must be able to respond within a reasonable time; and
- (5) The towing company must have the proper equipment and qualified personnel to respond to calls.

A towing company that violates the criteria must be removed from the list for a specified period of time dependent on any previous violations. The law enforcement agency must establish a procedure to appeal the removal. The rotation list must not be used if the owner of the disabled vehicle requests a specific towing company.

This bill also requires a towing company to:

- (1) Have an address displayed that is visible from the street;
- (2) Have a fenced storage area at least 7 foot tall and with at least 2,000 square feet of inside or outside storage area;
- (3) Maintain 8:00 a.m. to 5:00 p.m. business hours for cars to be retrieved;
- (4) Have an operational land-line phone at the place of business;
- (5) Maintain insurance as prescribed by the United States Department of Transportation;

(6) Maintain liability insurance, including garage coverage liability of \$1 million per occurrence and at least \$2 million aggregate, a garage keeper policy of at least \$50,000, and hook and cargo insurance of at least \$50,000;

(7) Provide a \$25,000 surety bond or an irrevocable letter of credit from a licensed financial institution; and

(8) Be certified by the Towing and Recovering Association of America at an appropriate level.

Currently, towing companies in second, third, and fourth classification counties are exempt from these requirements. The bill removes the exemption.